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GOOGLE INC.

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

GOOGLE INC., Plaintiff, v. AFFINITY ENGINES, INC., Defendant.	CASE NO.: C-05-00598 JW **STIPULATION AND [PROPOSED] ORDER REGARDING SUMMARY JUDGMENT BRIEFING SCHEDULE**

Pursuant to Civil L.R. 6-1, plaintiff Google Inc. (“Google”) and defendant Affinity Engines, Inc. (“AEI”) hereby stipulate and agree as follows:

WHEREAS this Court issued a Scheduling Order Following Case Management Conference dated October 17, 2005 setting forth a schedule for Google to file a partial summary judgment motion,

WHEREAS the schedule provides that Google will file its motion on November 28, 2005; with an opposition by AEI to be filed January 30, 2006 and Google’s reply to be filed February 13, 2006, with a hearing on the motion scheduled for February 27, 2006;

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WHEREAS the parties wish to enter into a stipulation whereby Google's opening brief will instead be filed on November 30, 2005; AEI's opposition will be filed on February 1, 2006; and Google's reply papers will be filed on February 15, 2006;

NOW THEREFORE, pursuant to Local Rule 6-1(b) of the Local Rules of the United States District Court for the Northern District of California, the parties, by and through their undersigned counsel, stipulate, and respectfully submit for the Court's approval, as follows:

(1) Google's opening motion for partial summary judgment will be filed on November 30, 2005;

(2) AEI's opposition to the motion will be filed on February 1, 2006; and

(3) Google's reply papers will be filed February 15, 2006.

IT IS SO STIPULATED.

Dated: November 7, 2005

ORRICK, HERRINGTON & SUTCLIFFE LLP

By /s/ G. Hopkins Guy III
G. Hopkins Guy III

Attorneys for Affinity Engines, Inc.

Dated: November 7, 2005

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By: /s/ Michael A. Berta
Michael A. Berta

Attorneys for Google Inc.

I, Michael A. Berta, am the ECF User whose identification and password are being used to file this Stipulation and [Proposed] Order Regarding Summary Judgment Briefing Schedule. In compliance with General Order 45.X.B, I hereby attest that G. Hopkins Guy III has concurred in this filing.

Dated: November 7, 2005

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By: /s/ Michael A. Berta
Michael A. Berta
Attorneys for Google Inc.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: ______________________, 2005

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HONORABLE JAMES WARE
UNITED STATES DISTRICT JUDGE